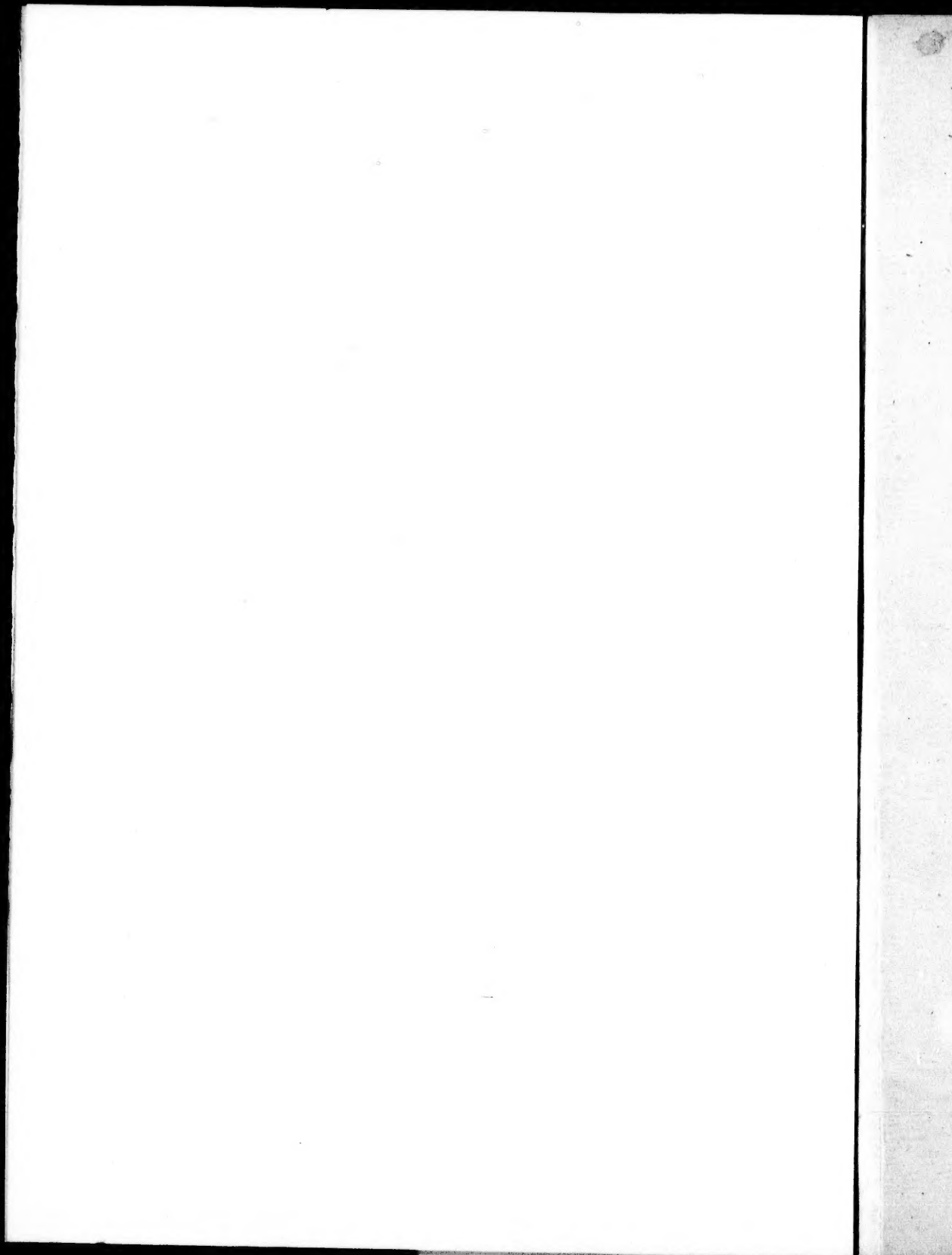




THE
CONFEDERATION QUESTION,

CONSIDERED

FROM A PRINCE EDWARD ISLAND POINT
OF VIEW.

BY

W. H. POPE.

CHARLOTTETOWN:

PRINTED BY EDWARD WHELAN, "EXAMINER" OFFICE,
1866.

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W. H. FOLEY

WATERLOO, N.Y.
PUBLISHED BY THE
AUTHOR, 1866.

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In the following pages, it is intended to narrate and review briefly the proceedings relative to the proposal to unite the British North American Provinces under one Government and Legislature—so far as these relate to Prince Edward Island—from the conclusion of the deliberations of the Quebec Conference in October, 1864, to the present time.

Prince Edward Island was represented at the Conference by seven delegates: The Honorable John Hamilton Gray, M. P. P., President of the Executive Council, the Honorable Edward Palmer, M. L. C., Attorney General, the writer, who held the office of Colonial Secretary, and the Honorable Thomas Heath Haviland, M. P. P. These gentlemen, with the exception of Mr. Haviland, were members of the Executive Council. The opposition party was represented by the Honorable George Coles, M. P. P., the Honorable Edward Whelan, M. P. P., and the Honorable Andrew A. McDonald, M. L. C.

The Honorable Edward Palmer and the Honorable George Coles, shortly after their return to the Island in November, 1864, declared themselves opponents of the Scheme of Confederation proposed by the Quebec Conference. It will be hereafter shewn that Mr. Palmer and Mr. Coles, while in Canada, publicly announced their

approval of the proposed Confederation, and expressed their intention to advise the people of the Island to assent to it. The Honorable Andrew A. McDonald voted against the acceptance by the Island of the Scheme of Confederation agreed to at Quebec.

The Honorable Edward Palmer repeatedly and publicly asserted that his opinions upon Confederation have not changed, and that he never regarded with favor the proposed Union of the Colonies.

The speeches delivered by the Honorable Edward Palmer and the Honorable George Coles, while in Canada, in the capacity of Delegates representing Prince Edward Island, will be produced and contrasted with their subsequent utterances in Prince Edward Island, in order that the reader may have some data upon which to form an opinion as to whether the sentiments expressed by Messrs. Palmer and Coles, while Delegates in Canada, should or should not be regarded as the individual opinions of these Delegates, formed after mature consideration and discussion of the important subject of Colonial Union, and whether their subsequent opposition to Confederation should or should not be attributed to the influence of popular opinion within the Island.

The Honorable Edward Palmer was appointed by His Excellency the Lieutenant Governor one of the Delegates on behalf of this Island, to proceed to Quebec for the purpose of conferring with Delegates representing the Provinces of Nova Scotia, New Brunswick, Canada and Newfoundland, and discussing the expediency of a Union of the several British North American Provinces under one Government and Legislature. Mr. Palmer proceeded to Quebec and was present at the Conference which assembled in that city on the 10th October, 1864, and after the

labors of the Conference had been brought to a close he accompanied the Delegates of the Maritime Provinces in a tour through the chief cities of Canada. The Conference resulted in the adoption of certain resolutions, generally known as the "Report of the Quebec Conference." These resolutions were revised at a meeting of the Delegates held at Montreal on Saturday the 29th October, 1864, and then ordered to be engrossed.

Mr. Palmer was present at this meeting.

On Thursday the 3rd November, 1864, Mr. Palmer and the other Delegates from the Maritime Provinces visited several of the Public Institutions of the city of Toronto, and on the same day Mr. Palmer, at a *Dejeuner* given to the Delegates in the Music Hall, delivered a speech in favor of the Union of the Provinces. A report of this speech, corrected by Mr. Palmer, is as follows:—

"The Hon. EDWARD PALMER, Attorney General of Prince Edward Island, rose on behalf of that Colony to reply to the toast. He was well received on rising. He begged the company, on behalf of himself and his colleagues who there represented it, to accept his acknowledgements for the very flattering manner in which the health of the delegated gentlemen had been proposed and accepted by the Assembly; and proceeded to say:—The Island from which I came is but a small country, and it requires perhaps little to be said on its behalf; and it is fortunate it is so, as the task has fallen upon one so incapable of doing it. But notwithstanding I shall say a few words, and in speaking of the Island, I am at first reminded of a very facetious remark of a gentleman whom I trust you all know—and that is no other than Mr. D'Arcy McGee—when speaking of Prince Edward Island. "Now," this witty gentleman said, "don't you be too boastful about your little island; don't let us hear so much about it, or we will send down a little tug boat and draw you up into one of our lakes, where we will leave you to take care of yourselves." (Laughter.) Perhaps if this did happen—if you did bring our little island here, we would not have much reason in many respects to regret the exchange. (Hear, hear.) We are an agricultural community, as you are all aware; and although we are not a very great one, yet we can send away a million and a half bushels of oats in one year, still leaving enough for our own use.—Now, as to the proposed union. Your friends came down and we listened to them, and we resolved since then that there should be an Union. (Applause.) In the first place, we resolved that the Union should be, as far as the circumstances of the country would permit, in accordance with the

British Constitution. (Cheers.) The Provinces were unanimous in this. We then resolved that each of the Colonies should preserve its peculiar privileges and institutions, and that there should be no higher power to interfere with them. (Applause.) We next agreed that as far as possible the debts of the colonies should be dealt with fairly and equally, and that the tariffs should be equal throughout. We next agreed that as regarded the outside world we should, between and amongst ourselves, enjoy free trade. (Applause.) I confess that in my Province there was at first no little anxiety with regard to this proposition, because we stand at present as happy and contented a people as any of the British Provinces.—Yet I hesitate not to say that from all that has been witnessed by the Delegates representing that Island, they will not hesitate to recommend to their people the great Union which I hope soon to see accomplished.—(Cheers.) We have come here and been delighted with the enterprise of your people. We have become acquainted with your vast resources—the great perfection of your machinery—the great progress of arts and manufactures among you. (Applause.) Even to-day we were surprised to witness the admirable institutions of learning which you have among you, and had great pleasure in inspecting the *minutiae* of the operations. We saw your wealthy merchants, your happy enterprising men making their fortunes—all convincing us that this country is one with which we need not be afraid to throw in our lot. (Cheers.) It is not the great hospitality alone that we have met with since we entered within your borders—it is not the kindness which we have received individually or collectively from the people of this Province—that causes us to desire to come into this union; your excellent institutions of all kinds, and your progress in everything that goes to make up a great country, impel us to such a desirable consummation—to form part of the great empire or colony, or whatever you choose to call it, which is to be constructed out of these Provinces of British America, sharing the glories of the mother country, which we all desire to see perpetuated and increased. (Cheers.)”

On the 6th November, 1864, Mr. Palmer signed the engrossed resolutions of the Quebec Conference.

Mr. Palmer returned to Prince Edward Island about the 10th of November, and immediately thereafter publicly announced himself a decided opponent of the proposed Union of the Provinces.

Mr. Palmer's speech at Toronto having been circulated through the North American Provinces, a portion of the Press commented upon the apparent inconsistency of the Attorney General in denouncing, in the newspapers of Prince Edward Island, the proposed Confederation, which, at Toronto, a few days previously, he had advocated with

much apparent earnestness. Colonel Gray, Prime Minister of Prince Edward Island—in consequence of Mr. Palmer's conduct relative to the question of Confederation—tendered to Lieutenant Governor Dundas the resignation of his seat as President of the Executive Council, and in a letter to His Excellency, dated 16th November, 1864, which contained his reasons for resigning, Colonel Gray alleged that Mr. Palmer had, at Toronto, deliberately given utterance to expressions intended to deceive, and that his conduct was highly reprehensible—insulting to the Delegates who had represented the other Provinces—calculated to bring into contempt the people and Government of the Colony, and such as obliged him to retire from the Executive. Colonel Gray's resignation was accepted by His Excellency on the 20th December, 1864.

Mr. Palmer retired from the Executive Council on the 7th January, 1865.

On the day on which Mr. Palmer's resignation was laid before the Executive Council, the Members of that Body unanimously joined in an address to Colonel Gray, in which they expressed themselves as “indulging the hope “that under existing circumstances, Colonel Gray might “be induced to re-enter the Executive, and again occupy “the position from which, to their great regret, he had “retired.” This letter was published by Colonel Gray in the *Islander* newspaper in January, 1865.

Mr. Palmer publicly announced that he did not deem his “consistency called in question” by what had fallen from him during his speech at Toronto.

The position taken by Mr. Palmer and his associates was, that Mr. Palmer had always been opposed to the proposed Confederation of the British North American Provinces. In support of this position the editor of the *Monitor* news-

paper—to the editorial columns of which Mr. Palmer was well known to be one of the chief contributors—gave publicity to a private letter which Mr. Palmer had written him from Quebec towards the close of the Conference. In this letter Mr. Palmer thus expressed himself:—

“The Scheme of a Federal Government is making progress, and I have no doubt will be agreed to by a large major. of the Delegates; but I regret to say, from all that is developed so far, I fear our little Island is to be sacrificed. The great principles, I may say, however, are pretty nearly decided on, and secondary principles and details are now under discussion. These are, as you may imagine, the most difficult to adjust; but still I think a scheme will be agreed to, and if it turns out, what it promises at present, *I hope most earnestly*, and I have no doubt, that our Legislature will discard it. * * * The paltry proportion of representation we are now likely to have in both branches of the Legislature, is little more than nominal, and leaves us at the mercy of the other Provinces. In short, I am thoroughly disgusted at the course things have taken here, and would be disposed to sit by the waters of Babylon and weep for years, if I thought our Island people would be taken in by the scheme.”

These extracts from the Attorney General's letter appeared in the *Monitor* newspaper published on the 13th of December, 1864.

On the 28th November Mr. Palmer addressed to the *Protestant* newspaper, published in Charlottetown, a letter, in which he declared himself “*decidedly opposed to the proposed Federal Union of the North American Colonies.*” In this letter Mr. Palmer refers to the speech delivered by him at Toronto in the following terms:—

“I do not deem my consistency called in question by what may have fallen from me during an unstudied complimentary speech at a *Dejeuner*, when controversy was neither invited or expected, and when it was the good fashion, during the whole tour, for every one who was called upon to return thanks for the princely hospitality shewn us, to reciprocate as far as possible what was most pleasant and agreeable to their kind hosts.”

In this apology for his Toronto speech in favor of Confederation, the Attorney General of Prince Edward Island intimates that he therein expressed himself in favor of Confederation, because it was “*the good fashion to reci-*

procure as far as possible what was most pleasant and agreeable" to those who so kindly entertained the Delegates, and, therefore, that he did not deem his declaration to his Toronto audience, that he hoped soon to see the "great Union accomplished," inconsistent with the declaration contained in his letter to Mr. Cooper, expressive of his "most earnest hope" that the Legislature of the Island would "discard it."

The occasion on which Mr. Palmer spoke at Toronto was most important in its character. The audience which he addressed included a large number of the representative men of British North America. The leading public men of the five Provinces of British North America had been for weeks engaged in the endeavor to agree upon terms of Union by which these Provinces might become united under one Government and Legislature. It was expected that the Delegates were about to explain their views upon the important question which had formed the subject of their deliberations, and which was then absorbing public attention. The great Hall of the Capital of Upper Canada was filled to overflowing. It was to this audience that the Honorable Edward Palmer addressed himself. It is difficult to realize that a Lawyer of mature age, holding the honorable and responsible office of Attorney General of Her Majesty — after having publicly declared that he hoped soon to see the Union of the Colonies accomplished, and assured his audience that it was not the kindness and hospitality which the Prince Edward Island Delegates had met with in Canada that caused them to desire to come into the Union, but rather the excellent institutions of all kinds, and the progress of Canada in everything that goes to make up a great country, which impelled them to this

desirable consummation,—should, on his return to Prince Edward Island, within a few short days, distinguish himself by opposition to the “great union,” and by denunciation of Canada. It is almost incredible that the Honorable Edward Palmer should have permitted the publication of extracts from his private correspondence, to prove that, when at Toronto, he advocated the cause of the great union with so much apparent earnestness, he was, in reality, a decided opponent of Union, and so convinced that it would ruin Prince Edward Island, that he “would be disposed to sit by the waters of Babylon and weep, for years if he thought the Island people would be taken in by the Scheme.”

There is, however, a second apology by the Honorable Edward Palmer for his speech at Toronto.

On the 21st December, 1864, the Attorney General of Prince Edward Island addressed to the Lieutenant Governor, a communication, in which is contained the following attempt at a justification of the Toronto speech:—

“When I addressed the company at the Toronto *Dejeuner*, on the occasion referred to, (3rd November, 1864), I felt myself bound to speak the sentiments of what I knew too well were those of a majority, and a large majority of my fellow-delegates. In doing so I did as every one of the numerous Delegates placed in the same situation had done on every other previous occasion. To have spoken my individual opinions and advanced my objections to the Report of the Delegates, and complained of its injustice to Prince Edward Island, would have been a violation of the rule invariably acted upon in all similar instances; and would have rendered it necessary for some gentleman of our party to reply, and to have provoked a controversy that was not expected on such festive and social occasions; that might have interrupted the harmony of the entertainment, and by engrossing the time would have prevented other persons from speaking through the Delegates assigned to enunciate their sentiments.

“In speaking in one single instance in my speech in question, in the first person, where I observed that I hoped soon to see the Union accomplished, I most assuredly meant that it should be on the basis agreed to by the first article in the report, that is, on terms just to the several Provinces.”

The communication from which the above extracts are taken, is recorded on the Minutes of the Executive Council. A certified copy is in the possession of the writer, to whom it was furnished by the authority of the Lieutenant Governor in Council.

The foregoing apologies are not compatible. To speak in favor of the Union of the British North American Provinces, and to express a hope soon to see that Union accomplished, because it was the good fashion for all who were called on to return thanks to reciprocate as far as possible what was most pleasant and agreeable to kind hosts, is very different from so expressing one's self, because of feeling bound to speak sentiments known to be held by others.

No sentence, or form of words, can have more than one true meaning. There is not, in Mr. Palmer's speech, delivered at Toronto, one expression which would lead the audience, to whom it was addressed, to suppose that the speaker was not giving expression to his individual sentiments. Mr. Palmer's attempt to explain away his declaration, "I hope soon to see the Union accomplished," is puerile. Mr. Palmer says, "when I said, I hoped soon to see the Union accomplished, I most assuredly meant that it should be on the basis agreed to by the first article in the report, that is, on principles just to the several Provinces." The great Union which Mr. Palmer did "not hesitate to say" that the Delegates "would not hesitate to recommend to their people," was the Union proposed by the Report of the Conference; and the Union which the Delegates would not hesitate to recommend to their people, was the Union which Mr. Palmer said he hoped soon to see accomplished. On his arrival in the Island after the close of the Conference, in

1864, Mr. Palmer found opposition to Confederation to be almost universal. He has ever since shewn himself a most persistent opponent of the proposed Confederation.

The Honorable George Coles, the recognized Leader of the Party in opposition to the Government of 1864, had no opportunity of signing the Report of the Quebec Conference—he, with several others, having left Toronto before the Resolutions were engrossed.

At Ottawa, on the 1st November—after the resolutions forming the report of the Conference had been finally revised—Mr. Coles spoke in favor of Union. Addressing a large audience assembled in the new Parliament Buildings Mr. Coles said:—

“He stood here in a different position from the gentlemen from the other provinces, who had just addressed them, both of whom were members of their respective Governments, while he (Mr. Coles) happened to be one of the Opposition. They were aware that the Oppositions of all the Provinces had entered into the Delegation to assist in carrying out the views of their respective Governments. Generally, when an opposition joined in carrying out the views of Government, they were looked upon with suspicion by their constituents. But the present case was one which stood entirely by itself, and he claimed that in going for Federation the Government of Prince Edward Island were carrying out his views—views which he had entertained for many years. (Cheers.) In former times he had found many opposed to his sentiments on this question. It was the same as in the case of a proposed matrimonial union, when the friends of the family are very apt to raise objections on the grounds of disparity in wealth, standing, &c., but in spite of these objections they had gone to work, and for the last two months—first at Charlottetown, and then at Quebec—they had been trying to draw up the marriage settlement—(cheers)—and he had to announce to them that they had succeeded in framing a marriage settlement, which, though in some respects not what some of them might have wished, he hoped would, taken as a whole, give satisfaction to the entire family. (Cheers.) The marriage ceremony had yet to be performed. When that took place he hoped the families thereby allied would not be such strangers to each other as they had been in the past, and that the people of Canada would more frequently visit the people of the Lower Provinces, who would be happy to return the compliment. (Cheers.) Mr. Coles went on to speak of the advantages of Prince Edward Island as a delightful summer residence, and of its various resources—particularly the inexhaustible treasury it had in the fisheries of its waters. At present hundreds of thousands of pounds worth of fish were taken from their waters by the American fishermen. He trusted that

soon Canada would take that fish for the consumption of her inhabitants, and send her fishermen to catch them. (Cheers.) He thought they had reason to congratulate themselves on the result of the labors of the Conference. That thirty-three men, representing the various political opinions of six different Provinces could have assembled and so amalgamated their opinions as to agree upon a constitution suited for that great Confederation, was some thing, he believed, such as the world had never seen before, and shewed that the Delegates were worthy of the position they held. (Cheers.) He said this, although there was no man more disappointed than himself with respect to some parts of that constitution, but by mutual concession they had arrived at a result which they could all agree in supporting and submitting to the people, for he held that it must be submitted to the people. They could not force it on the people; they must endeavour to shew them that it was for their benefit, and thus induce them to accept it. (Cheers.)

On the 3rd December, 1864, Mr. Coles addressed to the editor of the *Examiner* newspaper a letter in which he stated that he had objections to that Constitution which, according to his speech at Ottawa, "thirty-three men," (including Mr. Coles), "had agreed upon" as suited to the proposed Confederation. Mr. Coles added, "I shall feel it my duty to the people of this Island, to oppose it in my legislative capacity."

The people of Prince Edward Island, on the return of the Delegates, almost unanimously evidenced their opposition to the proposed Confederation; and three of the seven Prince Edward Island Delegates, all of whom had supported the Scheme in Canada, now united with the people in denouncing it.

The Legislature of Prince Edward Island assembled in February, 1865. The Report of the Quebec Conference and all official correspondence connected with the subject of the proposed Union of the Colonies, were laid before both Houses, and the question of Union debated at length.

The writer, in the House of Assembly, moved the resolutions following :—

"1. *Resolved*, That the best interests, and present and future prosperity of British North America, would be promoted by a Federal Union, under

the Crown of Great Britain, provided such Union could be effected on principles just to the several Provinces and Colonies.

"2. *Resolved*, That the existence of immense Military and Naval forces in the neighboring Republic, renders it specially incumbent on the people of British North America to take the most efficient precautionary measures by which their independence against foreign aggression may be secured.

"3. *Resolved*, That a Union, such as in times of extraordinary danger would place the Militia, the Revenues, and the Resources of the several Provinces at the disposal of a General Parliament, is necessary, in order to maintain the independence of British North America against foreign aggression, and to perpetuate our connection with the Mother Country.

"4. *Resolved*, That a Federal Union of British North America, based upon the Resolutions adopted at the Conference of Delegates from the Provinces of Canada, Nova Scotia and New Brunswick, and the Colonies of Newfoundland and Prince Edward Island, held at the City of Quebec, 10th October, 1864, as the basis of a proposed Confederation of those Provinces and Colonies, would, among other advantages, promote the development of the trade and manufacturing capabilities of these Provinces and Colonies, and advance the general prosperity, by inducing the substitution of a Customs' Tariff, uniform and common to the Confederation, in lieu of the various Tariffs now in force in the several Provinces and Colonies.

"5. *Resolved*, That the Report of the Conference of Delegates from the British North American Provinces and Colonies, held at Quebec in October last, taken as a whole, contains a declaration of principles—as the basis of a Federal Union—which this House considers just to the several Provinces and Colonies.

"6. *Resolved*, That this House, believing it is only by mutual concessions and compromises, the several British North American Provinces and Colonies can ever agree upon those principles which shall form the basis of a Union, orders that the report of the Conference of Delegates from these several Provinces and Colonies, held at Quebec in October last, be published throughout this Colony, for the deliberate consideration of the people, on whom will devolve the acceptance or rejection of the proposed Union.

"7. *Resolved*, That until the larger Maritime Provinces and Canada shall have mutually agreed upon the terms of Union, it is inexpedient that the people of Prince Edward Island should be called upon to decide on the question."

In a House of twenty-nine members, these resolutions were supported by five—four of whom had been Delegates to the Québec Conference.

The following resolutions were carried in amendment, on a division of twenty-three to five :—

"1. *Resolved*, That Prince Edward Island, being entirely dependent on its Agriculture and Fisheries, has nothing to export for which Canada can

furnish a market. That while such is, and ever must be the relative commercial position of this Island and Canada, the products of our soil and Fisheries find in the extensive markets of our parent country, the United States and the West Indies, ready and profitable customers. The proposed Union, while admitting the produce and manufactures of Canada into this Island free, would, by assimilation of taxes, enormously increase the duty to which those of Great Britain and the United States are at present subject; thereby compelling this Island to take a large portion of its imports from Canada, making payment therefor in money instead of procuring them from countries which would receive our produce in exchange; an arrangement so inconsistent with the fundamental principles of commerce must greatly curtail our commercial intercourse with the United States, and would, in the opinion of this House, materially diminish our exports to that country, and prove most injurious to the agricultural and commercial interests of this Island.

" 2. That if the relative circumstances of Canada and this Island rendered a Union practicable, the evident injustice of the terms agreed to by the Quebec Convention would prevent their being ratified by the Legislature of this Island. Without alluding to all, it is proper to notice some of the objectionable features of the Report. Without admitting the principle of Representation according to Population under all circumstances to be sound, it is, in the opinion of this House, particularly objectionable as applied to this Island in connexion with Canada, taking into consideration that the number of our inhabitants is, and must continue comparatively small, owing to the fact that we have no Crown Lands, mines, minerals, or other resources sufficient to induce immigrants to settle here, and that we never can expect to become to any extent a manufacturing people in consequence of our navigation being closed for nearly half the year, and all trade and communication with other countries stopped. Under this principle, the City of Montreal alone would, at the present time, have a representation greater than the whole Province of Prince Edward Island, and under the provisions of the Convention which regulates the mode of readjusting the relative representation of the various Provinces at each decennial census, looking at the rapid increase of the Population of Upper and Lower Canada heretofore, particularly the former, — and the certainty of a still greater increase therein in the future, over that of the population of this Island, it follows as a certain and inevitable consequence, if a Federation of the Provinces were consummated upon the basis of the said Convention, that the number of our Representatives would, in the course of a comparatively short number of years, be diminished to a still smaller number than that allotted at the outset to us.

" 3. That the old Imperial error in granting all the lands in large tracts to absentee, which deprives this Island of the Revenue drawn by the sister Colonies from these sources; our insular position and numerous harbors, furnishing cheap and convenient water communication, which render expensive Public Works here unnecessary; the Revenue to be drawn by the proposed Federal Government from this Island, and expended among the people of Canada and the other Colonies in constructing Railways and other Public Works, thereby creating a trade which would build up cities and enhance the value of property in various localities there;

—advantages in which this Island could enjoy a very small participation; our complete isolation during five months of the year, when ice interrupts our trade and communication with the Mainland, and during which period the Island could derive no possible benefit from the Railroads and other Public Works which they would be (equally with the people of those Colonies) taxed to construct,—these and many other considerations, which seem to have been entirely ignored, ought, in the opinion of this House, to have produced an offer of a financial arrangement for this Island very different in its terms from that contained in the Report of the Convention.

"4. That while this House recognizes the duty of this Colony to use every means, to the extent of its limited resources, to defend its inhabitants from foreign invasion, it cannot recognize the necessity of uniting in a Confederation with Canada for the purpose of defence, upon terms which, in other respects, are in the opinion of this House, so unfair to the people of Prince Edward Island—thus sacrificing our commercial and financial interests for the sake of securing the co-operation of Canada in a military point of view; feeling assured that so long as we remain a loyal and attached Colony of Great Britain, the powerful aid of that great country will continue, as heretofore, to be extended to us, in common with the other North American Dependencies of the British Crown.

"Lastly, *Resolved*, That this House disagrees to the recommendations of the Quebec Convention, and on the part of Prince Edward Island emphatically declines a Union which, after a serious and careful consideration, it believes would prove politically, commercially and financially disastrous to the rights and interests of its people."

A joint address to the Queen, from the Legislative Council and Assembly, founded upon these resolutions, was prepared. The address concluded with the prayer: "That Her Majesty would be graciously pleased not to give the Royal assent to any act or measure founded upon the resolutions or report of the Quebec Conference, or otherwise that would have the effect of uniting Prince Edward Island in a Political Union with Canada, or any other of Her Majesty's Provinces in America."

On the Committees appointed to prepare this address were the Honorable Edward Palmer, the Honorable George Coles and the Honorable A. A. McDonald, who, while in Canada as Delegates, had either signed the Report of the Conference, or publicly advocated the Union of the Provinces which that report proposed.

A General Election was held in New Brunswick in March, 1865, which resulted in the defeat of the Government and the return of a majority opposed to Confederation.

On the 24th June, 1865, the following Despatch from Mr. Cardwell was sent to the Governors of the several Provinces:—

"I have the honor to transmit to you the Copy of a Correspondence between Viscount Monck and myself on the affairs of British North America, which have lately formed the subject of conferences between Her Majesty's Government and a Deputation from the Canadian Government.

"This Correspondence having been presented to both Houses of the Imperial Parliament by command of Her Majesty, I have to direct you to communicate it also to the Legislature of Prince Edward Island at its next meeting.

"You will, at the same time, express the strong and deliberate opinion of Her Majesty's Government, that it is an object much to be desired that all the British North American Colonies should agree to unite in one Government. In the territorial extent of Canada, and in the maritime and commercial enterprise of the Lower Provinces, Her Majesty's Government see the elements of power which only require to be combined in order to secure for the Provinces, which shall possess them all, a place among the most considerable communities of the world. In the spirit of loyalty to the British Crown, of attachment to British connection, and of love for British Institutions, by which all the Provinces are animated alike, Her Majesty's Government recognise the bond by which all may be combined under one Government. Such an Union seems to Her Majesty's Government to recommend itself to the Provinces on many grounds of moral and material advantage, as giving a well founded prospect of improved administration and increased prosperity. But there is one consideration which Her Majesty's Government feel it more especially their duty to press upon the Legislature of Prince Edward Island. Looking to the determination which this country has ever exhibited to regard the defence of the Colonies as a matter of Imperial concern, the Colonies must recognise a right, and even acknowledge an obligation incumbent on the Home Government to urge, with earnestness and just authority, the measures which they consider to be most expedient on the part of the Colonies with a view to their own defence. Nor can it be doubtful that the Provinces of British North America are incapable, when separate and divided from each other, of making those just and sufficient preparations for material defence which would be easily undertaken by a Province uniting in itself all the population and all the resources of the whole.

"I am aware that this project, so novel as well as so important, has not been at once accepted in Prince Edward Island with that cordiality which has marked its acceptance by the Legislature of Canada, but Her Majesty's Government trust, that after a full and careful examination of the subject in all its bearings, the Maritime Provinces will perceive the great

advantages which, in the opinion of Her Majesty's Government, the proposed Union is calculated to confer upon them all."

The House of Assembly of Prince Edward Island considered this Despatch in May, 1866, and replied thereto by the address following:—

"To the Queen's Most Excellent Majesty."

"MAY IT PLEASE YOUR MAJESTY;

"We, Your Majesty's dutiful and loyal subjects, the House of Assembly of Prince Edward Island, having had under consideration the Message of His Excellency the Lieutenant Governor, communicating a Despatch dated the 24th day of June last, from the Right Honorable Edward Cardwell, Secretary of State, for the Colonial Department, upon the subject of a Federation of the British North American Provinces—beg leave to approach Your Majesty for the purpose of expressing our respectful but deliberate opinion that any Union of the British North American Colonies, which would embrace Prince Edward Island, upon the terms and principles set forth in the Resolutions of the Conference of Quebec, held on the 10th October, 1864, would not only be unjust to the inhabitants of this Colony, but prove disastrous to their dearest and most cherished rights and interests as a free people, enjoying the blessings of a priceless constitution, guaranteed to them by the Imperial Government of Great Britain.

"That, considering the isolated, peculiar and exceptional position of Prince Edward Island, as contrasted with the other British North American Provinces and Colonies, this House deems it to be its duty, as the Constitutional Representative of the people of Prince Edward Island, to re-affirm the decision so clearly and unequivocally declared by this House in the Resolutions passed by it, in its last Session, upon the subject of a Union of the British North American Colonies, and afterwards communicated by the joint Address of the Legislative Council and House of Assembly of this Colony to Her Majesty's Imperial Government; and further, that even if a Union of the Continental Provinces of British North America would have the effect of strengthening and binding more closely together these Provinces, and advancing their material and commercial interests, this House cannot admit that a Federal Union of the North American Provinces and Colonies, which would include Prince Edward Island, could ever be accomplished upon terms that would prove advantageous to the interests and well being of the people of this Island, out off and separated as it is, and must ever remain, from the neighbouring Provinces, by an immovable barrier of ice for many months in the year; AND THIS HOUSE DEEMS IT TO BE ITS SACRED AND IMPERATIVE DUTY TO DECLARE ITS CONVICTION THAT ANY FEDERAL UNION OF THE NORTH AMERICAN COLONIES THAT WOULD EMBRACE THIS ISLAND WOULD BE AS HOSTILE TO THE FEELINGS AND WISHES, AS IT WOULD BE OPPOSED TO THE BEST AND MOST VITAL INTERESTS OF ITS PEOPLE.

"We beg further respectfully to state, that while this House cannot assent to a Federal Union of this Island with the other Colonies, they recognize it to be the duty of this Colony to contribute from its local Revenues, towards its defence, in fair and just proportion to its means.

"We do, therefore, most humbly pray that Your Majesty will be graciously pleased not to give Your Royal Sanction to any Act or Measure founded upon the basis of the Report of the Quebec Conference, or otherwise, that would have the effect of uniting Prince Edward Island in a Federal Union with Canada or any other of Your Majesty's Provinces in America."

The advocates of Confederation—seven in number—three being Members of the Administration—supported the resolutions following, which were moved by the Honorable Mr. Whelan in amendment to the resolutions upon which the foregoing address to Her Majesty was founded:—

"*Resolved*, As the opinion of this House, that the Confederation of Her Majesty's American Colonial Possessions would be,—while in conformity with Her Majesty's frequently expressed desire—conducive to their welfare, separately and collectively. And this House believes that a plan of Confederation might be so framed as not to involve the sacrifice of any material interests on the part of any Province; but inasmuch as the people of Prince Edward Island do not appear to be prepared to regard with any favor the project of Confederation, it is unwise to press it upon public attention, as its discussion is only calculated to produce excitement and apprehension, without reasonable cause.

"*And further resolved*, as the opinion of this House, that there should be no vote passed by the Legislature of this country in favor of a Confederation of the Provinces until the people shall first be afforded an opportunity of pronouncing their judgment on the question, at a general Election."

The course pursued by the seven Members of the Assembly in opposition to the address of the majority, was approved by a number of gentlemen holding honorable positions in the Colony, who presented to them a very complimentary address. The address was headed by the name of the Honorable Thomas Heath Haviland, Mayor of the City, by whom it was presented.

Prince Edward Island, shortly after its acquisition by England, was attached to Nova Scotia, which was then bounded by Maine on one side, and by Canada on another. Lord William Campbell was, by Royal Letters Patent,

dated 17th August, 1766, appointed Captain-General and Governor-in-chief of Nova Scotia, including the Island of Cape Breton, "the Island of Saint John, (P. E. Island), and all the other Islands within six leagues of the coast."

By Royal Letters Patent, bearing date 4th August, 1760, so much of the above recited Letters Patent of the 17th August, 1766, as related to, or mentioned, the Island of Saint John, (P. E. Island), was revoked, and Walter Patterson was constituted and appointed Captain-General and Commander-in-chief in and over the Island of Saint John. Mr. Patterson was required by His Majesty to execute the office of Governor according to the several powers and directions granted and appointed by his Commission—by the Royal Instructions which accompanied such commission, and by such further Royal Instructions as should be granted or appointed. In the Royal Instructions which accompanied Governor Patterson's Commission, four gentlemen were appointed a Council, to advise and assist the Governor in the administration of the affairs of Government, and authority was given to the Governor to add to this number of Councillors, by appointing such and so many persons, from among the principal Merchants and Proprietors of the Island, as should make up the number twelve. The Governor was also empowered, with the advice of his Council, and as soon "as the situation and circumstances of the Island would admit," to summon and call general assemblies of the freeholders and planters of the Island—the persons elected to be called THE ASSEMBLY. The Governor, by and with the advice of the Council and Assembly, or the major part of them, was authorised to make laws, statutes, and ordinances for the public peace, welfare and good government of the Island—such laws not to be repugnant to the laws and statutes of Great Britain.

Powers to appoint judges—to establish courts—in fine, to organize a Government, were conferred upon Captain-General Patterson.

The Island was separated from Nova Scotia and thus established an independent Government, at the instance of the grantees of its township lands.

From the meeting of the first Legislature, until the present day, in this little dependency of the Crown, British institutions have too often been burlesqued. Less than thirteen months previously to Governor Patterson's appointment the population of the Island was ascertained to be two hundred and seventy-one—of which number two hundred and three were "prisoners of war"—Acadians, who had escaped the deportation. The first Assembly met at Charlottetown, "*Mercurii, 7th Die, Julii, A. D. 1773,*" and was prorogued "*Sabbati 17th Die, Julii, 1773.*" There is no record of the number of inhabitants in 1773. In 1774, in a despatch from Governor Patterson to Earl Hillsborough, the population of "all ages and sizes, according to last return," is given at 1215. In 1805, thirty-two years after the meeting of the first legislature, the population of the Island was less than seven thousand souls. The first Assembly was composed of eighteen members—one member for every sixty men, women and children. The House, after the delivery of the Governor's speech, adjourned for dinner. After dinner it was reported to the House "that Edward Ryan, the door keeper, had, in the hearing of many of the members, made use of insolent and unbecoming language relating to this House, and very derogatory to the dignity of it." He was ordered to attend at the Bar of the House. He was heard in his defence, and it appearing that he was guilty of the

expressions laid to his charge, he was handed over to the Provost Marshal. "*Veneris 9 Die, Julii, A. D. 1773.*"

On this day it is recorded that Edward Ryan petitioned to be again brought to the bar of the House. He was brought to the bar—expressed sorrow for his offence, and after debate, it was "ordered that the said Edward Ryan ask pardon of the House upon his knees, and then to be discharged." *The said Edward Ryan asked the pardon of the House upon his knees and was discharged accordingly.*

The Legislature of 1773—King, Lords, and Commons— assembled in a small tavern, the proprietor of which was duly remunerated, as appears from the following appropriation:—

"Resolved, That the sum of one pound be paid (out of the first public monies), to James Richardson, for the trouble and expense occasioned by the meeting of this Assembly and the Board of Council in his House."

This vindication of their dignity, against the assault made upon it by Mr. Ryan, the door keeper, was the first act of the Legislative Assembly of Prince Edward Island.

In 1839 the number of Representatives was increased to twenty-four, and in 1855 still further increased to thirty.

The constitution of the Council remained unaltered from 1769 until 1839—when it was changed by virtue of Royal Letters Patent, dated December, 1838, which declared that there should be thenceforward in Prince Edward Island two distinct Councils, to be called the Legislative Council and the Executive Council, and that the powers of legislation formerly vested in the Council should be, and were, vested in the Legislative Council, and that all other powers whatever vested in the said Council should be vested in the Executive Council.

The Executive Council was ordered to consist of nine members.

The seats of members of the Executive Council were in no respect affected by the action of the House of Assembly, until 1851, when Responsible Government, so called, was introduced into the Colony.

In 1851 Lieutenant Governor Bannerman was authorized by Earl Grey "to reconstruct the Executive Council in such manner as to include those who possess the confidence of the Assembly."

By an act previously passed by the Legislature, for making provision for the payment of the Civil List of the Colony, it was enacted:—

"That the Act should not go into effect unless, among other things, "a system of Government similar to that now in force in the Provinces of Canada, New Brunswick, and Nova Scotia shall be granted to, and established in, this Island."

This Act was refused the Royal Confirmation, on account of its containing this condition, and the Lieutenant Governor was informed by Earl Grey that the change in the character of the Government of the Island "*must rest on the faith of the Crown.*"

The area of Prince Edward Island is little over a million and a quarter of acres. Its population in 1861 was less than 81,000.

The Legislative Council—which has been, since 1863, elective—consists of thirteen members. The Assembly consists of thirty members, elected under a system of manhood suffrage. The payment of taxes for the maintenance of highways, to which every male person in the Island between the ages of sixteen and sixty is liable—and which are less than two shillings sterling per head—constitutes a qualification to vote for the election of members of Assembly. Only one member of the present Executive, the Colonial Secretary, holds an office of emolument. The Legislative Council and Assembly vote annually twenty

pounds sterling to each member for attendance, together with a small sum additional, as travelling expenses, to those who reside at a distance from the capital. The salary of the Colonial Secretary is one hundred and sixty-six pounds six shillings and eight pence sterling per annum, exclusive of sixty-six pounds thirteen shillings and four pence, the salary of an Assistant or Deputy.

The only effective military force in the Colony consists of two Companies of Infantry, which were sent here in 1865, in order to maintain the Queen's authority, which was openly set at defiance. This Military Police has been maintained in the Island at the expense of the tax-payers of Great Britain. The local Militia, with the exception of a few Companies, can scarcely be said to exist even upon paper. And inasmuch as a law passed by the Legislature in its last session, (Act 29 Vic. cap. 2), expressly provides that "the Militia shall not be compelled to leave this Island," it matters little, in the opinion of the writer, whether the inhabitants of the Island are instructed in military drill or otherwise, so long, at least, as this extraordinary enactment remains in force.

The Island surrendered to the British on the fall of Louisburg in 1758. It cannot defend itself by any force within the Colony, and in the event of war must share the fate of the larger Provinces to which it is contiguous. Prince Edward Island, the writer assumes, can only be defended upon the sea, and on the soil of Canada and New Brunswick. A year's revenue would not suffice to purchase one Gun Boat, and the Legislature has declared that the Militia shall not be compelled to do military service, in the only place where they could efficiently perform such service—beyond the shores of the little Island.

The Legislature of this small Colony, which is totally incapable of defending itself—when told by Her Majesty's Secretary of State for the Colonies that union with the adjoining Provinces is essential to its defence, and that the Colony must acknowledge an obligation incumbent upon the Home Government to urge with earnestness and just authority the measures which they consider most expedient on the part of the Colonies for their own defence—defiantly replies, that the people of the Island will not agree to union upon any terms—that union with the other Provinces would be hostile to the people of Prince Edward Island, and that the will of the people who elected them, and not the policy of the Imperial Parliament, shall guide their conduct.

The Attorney General of the Colony—the Honorable Edward Palmer—in his place in the Legislative Council, in the Session of 1866, supported an address to Her Majesty the Queen—in answer to Mr. Cardwell's despatch of 24th of June, 1865—in which the following paragraph occurs :—

"We do not deem it inconsistent with the most devoted and loyal attachment to your Majesty's Person and Government to declare our firm conviction, that in deliberating upon a question so seriously affecting the liberty, happiness, and prosperity of the inhabitants of this Colony, we ought to be guided mainly by the "well understood wishes of the people" whom we represent, even should their wishes, unfortunately, conflict, as in the present instance, with the declared "policy" of your Majesty's Government for the time being,—the inhabitants of this Colony being, in our opinion, fully competent to decide upon so vital a question as the Constitution of the country in which their lot has been cast, and the means best adapted to promote and perpetuate the stability and prosperity of that country."

There is in Prince Edward Island a small minority—consisting for the most part of educated men—who have the independence to avow that they consider it the duty of the people of the Island to assent to the Confederation

desired by Her Majesty's Government, as well as by a majority of their fellow colonists. The masses, however, are hostile to any union, whether legislative or federal, and it may be assumed, that no inducement will cause them to give their assent to union with Canada. The people have been led to believe that the Home Government will not force them into Confederation; and they console themselves with the reflection, that if forced into Confederation they will at least be allowed the benefits offered by the Quebec resolutions, and will lose nothing by their opposition.

The writer assumes it as highly probable, that in a few months an act for the Union of the British North American Colonies will be submitted by Government to the Imperial Parliament. Will this little Island of less than ninety thousand inhabitants be allowed to remain out of a Union, which Her Majesty's Ministers—the British public—and the great majority of the three millions nine hundred thousand, who, with the people of Prince Edward Island, comprise Her Majesty's subjects, inhabiting the Atlantic Colonies of North America—consider as absolutely essential to the preservation of the connection of the Colonies with the mother country, and of their Monarchical Institutions—the developement of their vast resources, and their advancement as a great commercial people? It is very difficult to believe that Her Majesty's Ministers will hesitate to legislate this insignificant but most troublesome dependency into the Union on terms just and fair. The pecuniary advantage of which the Confederacy would be deprived, were the Island to be allowed to retain its independence, would be very trifling indeed, but not trivial would be the evils, which, in the event of such a contingency, would

result to the Confederacy. One of these evils may be mentioned. The Island, which is separated from the continent by a narrow strait, would assuredly be made the basis of smuggling operations, which would most seriously effect the revenues of the Confederacy. There is another consideration which, in the writer's opinion, should induce the Home Government to annex the Island to the other Colonies: It is the approaching equalization of the political parties who divide the Colony by their contentions for power, which, in a few years, will result in *dead-locks*, and thus render impossible all useful legislation. In 1859 a general election was followed by the return of a party supporting the Government of the day, numerically greater than the party in opposition by one only. The writer opposed the introduction into the Colony of Responsible Government, and after fifteen years experience he is satisfied that his opposition was well founded.

Under no other system than that of self Government was it desirable, or indeed possible that the larger Colonies could be governed, but to allow seventy thousand Colonists, chiefly without education, to elect representatives under a system of universal suffrage, and to introduce Party Government, under which every office in the Colony of the value of five pounds a year is bestowed as a reward for political services—on the republican principal, that “to the victors belong the spoils,” was not calculated to secure the enactment of judicious laws, or to promote the interests of the Colony.

The opinion generally obtains among the advocates of Confederation, that the financial adjustment of the Quebec Scheme is not just to Prince Edward Island. This opinion is not, however, shared by the writer. The Delegates representing the other Provinces are, it is assumed, willing

to reconsider this question of financial adjustment, and in the event of the Island being legislated into Confederation, it may assuredly be assumed, that Her Majesty's Ministers will not sanction injustice to its people.

ANDGOWAN, P. E. I.,

December, 1866.

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